

EXHIBIT E

MAR. 16. 2005 12:51PM 1ST SQUAD

N 32B - Rev. 6/83

NO. 605 P. 1

PLAIN EXHIBIT 1
39-1-05POLICE DEPARTMENT, COUNTY OF NASSAU, N.Y.
SUPPORTING DEPOSITION

STRUCTIONS: Deponent must place signature immediately after his/her narrative statement which shall include a statement of non-permission when applicable. Ice Officer will complete boxed area of form and will witness the deponent's statement by placing signature immediately below the deponent's signature.

Case Report No. 204CR19746	D.D. No.	Defendant's Name If Known		Relationship of Deponent to Property	
Time of Deposition 3/21/04 1807	WITNESS	Rank 3/1gt	Name Printed John Demartino	Serial No. 6667	Command 7750D

NOTICE

ANY FALSE STATEMENT MADE IN THIS DEPOSITION IS PUNISHABLE AS A CLASS A MISDEMEANOR
PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

I am Jamie Florio 5/15/83

I have read and understand the above notice.

On the 12 day of March 2004 at about 5:30 AM I was home at 445 Allen Av Oceanside N.Y. I was upstairs in my bedroom working on my computer. I heard cars searching and then yelling. I looked out my window onto Allen Av. I saw two men one in a grey sweatshirt and one in a blue sweatshirt. I could see the guy in the blue sweatshirt still yelling, arms waving and pointing at the grey sweatshirt. There were two cars. One was obviously a police car, unmarked with its lights still flashing. It was behind a dark lexus SUV. The grey sweatshirt man ran behind the police car & the blue sweatshirt man ran after him. The blue sweatshirt man then went back to the front of the lexus. I then see the police car start moving. I the police car moved in the direction of the front of the lexus. I saw the police car strike the guy in the blue sweatshirt in the legs. He fell and the police car continued up onto the grass of the house across the street. I ran down stairs & told my brother John Florio what just happened. Detective Sergeant John Demartino is writing this for me and it is the truth. Jamie Florio

4/16/2004 12:00 AM 2